

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TYRONE NOEL NUNN,

Plaintiff

v.

UNITED STATES DISTRICT COURT, et al.,

Defendants.

Case No. 2:24-cv-01874-RFB-EJY

**ORDER**

On October 7 and 18, 2024, Plaintiff submitted a Civil Rights Complaint and a single-page document titled “in forma pauperis” that simply states “28 U.S.C. 1915a.” ECF Nos. 2-1, 3. Plaintiff did not pay the \$405 filing fee or submit an application to proceed *in forma pauperis* (“IFP”), one of which is necessary to commence a civil action.

Plaintiff has filed over 80 *pro se* lawsuits in this district since July 2023.<sup>1</sup> Dozens of these lawsuits have been dismissed because Plaintiff failed to correct fundamental defects with them like filing a single, signed complaint and either paying the filing fee or filing a complete IFP. *See, e.g., Nunn v. Department of Corrections*, Case No. 3:24-cv-00050-ART-CLB, Docket No. 4 at 3–4 (D. Nev. Nov. 20, 2024) (collecting cases). Although the Court will give Plaintiff an opportunity to file an IFP or pay the full filing fee in this case, the Court is considering other case management options for Plaintiff, including recommending immediate dismissal of a case or declaring Plaintiff a vexatious litigant, if his unwillingness to file the documents necessary to initiate a civil action continues. *See Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010) (holding it is well-established that district courts have the inherent power to control their docket).

As Plaintiff is aware, he must pay the filing fee or complete an IFP. To proceed *in forma pauperis*, that is, without **prepaying** the filing fee, Plaintiff must comply with 28 U.S.C. § 1915(a) and Local Rule LSR 1-2. This requires Plaintiff to submit **three** required documents to the Court including: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court’s

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<sup>1</sup> The Court takes judicial notice of the online docket records of the U.S. Courts, which may be accessed by the public at: <https://pacer.uscourts.gov>.

1 approved form (*i.e.* pages 1 through 3 with the inmate's two signatures on page 3), (2) a **Financial**  
2 **Certificate** properly signed by both the inmate and a prison or jail official (*i.e.* page 4 of this Court's  
3 approved form), and (3) a copy of the **inmate's prison or jail trust fund account statement for**  
4 **the previous six-month period.**

5 Accordingly, IT IS HEREBY ORDERED that no later than **January 3, 2025**, Plaintiff must  
6 either pay the \$405 filing fee for a civil action or file with the Court: (1) a complete **Application to**  
7 **Proceed in Forma Pauperis for Inmate** on the Court's approved form; (2) a **Financial Certificate**  
8 properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison**  
9 **or jail trust fund account statement for the previous six-month period.**

10 IT IS FURTHER ORDERED that the Clerk of the Court **must** send to Plaintiff (1) the  
11 application to proceed *in forma pauperis* for inmates, and (2) instructions for completing this form.

12 IT IS FURTHER ORDERED that failure to pay the \$405 filing fee or file a complete IFP on  
13 or before **January 3, 2025**, will result in a recommendation to dismiss this action **without prejudice**.  
14 A dismissal without prejudice allows Plaintiff to file his case with the Court, under a new case  
15 number, when he is able to comply with LSR 2-1 and file a complete IFP or pay the required filing  
16 fee.  
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18 Dated this 4th day of December, 2024.

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21 ELAYNA J. YOUCHAK  
22 UNITED STATES MAGISTRATE JUDGE  
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